IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

WP(C).No. 1523 of 2007(F)

PETITIONER:

BASHEER
S/O KOYAMU
SRAMBIKKAL,
KURUVAMBALAM – P.O.
MALAPPURAM DISTRICT

BY ADV. SRI.GEORGE SEBASTIAN
SRIJEEMON JOHN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
MALAPPURAM

2. REVENUE DIVISIONAL OFFICER,
PERINTHALMANNA

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/01/2007 , THE COURT ON 12/01/2007 DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.1523 OF 2007

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Dated this the 12th day of January 2007

JUDGMENT

Petitioner is challenging Ext.P3 order of the District Collector levying fine of Rs.25,000/- on petitioner's vehicle bearing No. KL-10R/2673 which is a three wheeler. It is seen that another vehicle is also subject to same penalty. Even though petitioner is denying the allegations based on which penalty is levied, I am not convinced that the sand was transported with proper documents. However, going by penalty orders in similar cases, I feel the amount is high because the vehicle is a three wheeler.

2. In the circumstances, writ petition is disposed of modifying Ext.P3 by reducing the penalty to Rs.12,000/- in respect of KL-10R/2673. The vehicle will be released after making payments as above and on endorsement on R.C. book that release is made subject to payment of penalty.

Writ petition is disposed of.

C.N.RAMACHANDRAN NAIR, JUDGE

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